

**REMARKS:**

In the outstanding Office Action, the Examiner rejected claims 1-17. Claims 1, 2, 8-17 are amended herein, claims 18 and 19 are cancelled without prejudice and new claim 20 is added. No new matter is presented. Thus, claims 1-17 and 20 are pending and under consideration. The rejections are traversed below.

**ELECTION/RESTRICTIONS:**

On pages 2-3, the Examiner indicated that claims 1-17 and claims 18 and 19 were directed to two distinct inventions.

Applicants hereby confirm the June 27, 2005 telephone election of claims 1-17 and cancel claims 18 and 19.

**REJECTION UNDER 35 U.S.C. § 112¶2:**

Claims 1-12 and 15 were rejected under 35 U.S.C. § 112¶2. Claims 1, 2, 8-12 and 15 are amended herein. More specifically, the claims are amended to recite that terms of a transaction are defined for "each interval within a predetermined time period".

Proper support for the amendments of claims 1, 2, 8-12 and 15 can be found at least on page 15, line 23 through page 16, line 7; page 20, line 9 through page 21, line 12; FIGS. 3 and 5 of the present application.

Therefore, withdrawal of the rejection is respectfully requested.

**REJECTION UNDER 35 U.S.C. § 103(a):**

Claims 1-17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,477,533 (Schiff), U.S. Patent No. 5,948,040 (DeLorme), U.S. Patent No. 6,622,125 (Cragun) and U.S. Patent No. 6,266,648 (Baker).

Schiff is directed to maintaining agent-customer relationships by maintaining a reservation related to a customer open over a predetermined period of time (see, col. 20 and lines 58-65) such that the particular agent remains the agent of record based on rules governed by different time periods (see, col. 21, lines 34-67).

DeLorme provides a user with special offers of a prescribed service after the user has specified a date and time for a particular service (see, col. 50, lines 40-44). That is, DeLorme is limited to providing the user with special offers with respect to the user specified date and time

without providing the user with other possible offers that may exist for other dates and/or times (i.e., other than those specified by the user).

Baker simply indicates time restrictions and special conditions applicable to discounts and benefits (see, col. 1, lines 55-62 and col. 5, lines 35-45) by tracking time restrictions and conditions during which the discounts and benefits are available.

Cragun defines predicted purchases of customers during a purchasing transaction including current date, current time of day, and environmental information to target particular customers based on the prediction. For example, when rain is likely, a customer population favorably disposed to suggestions for purchases of a rain gear is targeted as recipients of promotions in relation to the rain gear (see, FIGS. 18 and 19 and corresponding text). That is, Cragun is limited to predicting purchases based on stored demographics information to target particular customers.

Further, Cragun is directed to calculating the possibility of how each factor (i.e., time period and weather) affect sales promotions that would most affect a given customer at a particular time of a day and analyze the sales promotions which affect the customer based on a value of the possibility calculated.

In contrast, the present invention provides discount services for each time interval within a predefined time period based on factors that affect the likelihood of an occurrence of a transaction. Definition of discount services or terms for each of the multiple intervals within a predetermined time period reduces laborious tasks associated with continuously adjusting discount services each time factors affecting the discount/terms change. For example, if occurrence of a transaction is more likely during afternoon hours in comparison to morning hours, the present invention provides discount services for each time interval (morning and afternoon hours) within a predefined time period (a day).

Independent claims 1, 2, 8-12 and 15-17 as amended recite that the present invention determines terms of a transaction for "each interval within a predetermined time period... based on a rate of reservation which is obtained by calculation results of factors affecting the transaction" ("discount services" in claim 2). The reservation is then accepted when within "the time interval" (claim 1) based on transaction terms that are "displayed" consistent with the time interval or within the varied intervals (claims 2, 8-12 and 15-17)

Independent claims 13 and 14 also recite, "presenting bargain data in relation to the

transaction target, the bargain data presented reflecting temporary time dependent changes based on a rate of reservation which is obtained by calculation results of factors affecting a transaction in relation to the transaction target”.

The cited references, alone or in combination, do not teach or suggest the features recited in independent claims 1, 2, 8-17.

It is submitted that the independent claims are patentable over the cited references.

For at least the above-mentioned reasons, claims depending from independent claims are patentably distinguishable over the cited references. The dependent claims are also independently patentable. For example, as recited in claim 5 the present invention includes “determining discount services for the reserved transaction, which has been confirmed to be accepted based on terms for the transaction” and “offering the determined discount services based on the confirmed reserved transaction”. The cited references do not teach or suggest these features of claim 5.

Therefore, withdrawal of the rejection is respectfully requested.

#### **NEW CLAIM:**

New claim 20 is added to emphasize that the present invention includes, “defining terms of a transaction for a first time interval and a second time interval within a specified time period based on a respective rate of reservation”. A transaction reservation with respect to the transaction for a selected time interval is accepted “when the selected time interval of the transaction reservation is within the first time interval and/or the second time interval”.

The cited references do not teach or suggest providing discount services based on defined terms of a transaction “for a first time interval and a second time interval within a specified time period based on a respective rate of reservation” and accepting “a transaction reservation... when the selected time interval of the transaction reservation is within the first time interval and/or the second time interval”, as recited in new claim 20.

Therefore, it is respectfully submitted that new claim 20 is patentably distinguishable over the cited references.

#### **CONCLUSION:**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Serial No. 09/693,919

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: \_\_\_\_\_

10/6/5

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